

THE

1578 / 3640

Lord BELHAVEN's SPEECH

IN THE

Parliament of Scotland

*Upon the ACT for Security of the Kingdom,
in case of the Queens Death.*

My Lord Chancellor,

WE are now upon an Act of the last Consequence, it is an Act for Security of the Kingdom in case of the Queens Death. I hear it proposed by a Noble Earl on *the other side*, that this Act should have the same Narrative with the Act 1696. But I would have it Considered, That our Circumstances are much changed since that time : We had then both a King and Successor in Being, now our Happinels and the Welfare of this Kingdom, doth solely Depend upon the Life of our most Gracious and Excellent Queen (whom God long preserve) for a Blessing to this Nation ; It is from her Bounty to this Her ancient Kingdom, that we hope to bring this Excellent and Useful Law to perfection ; Therefore, My Lord, in my humble Oppion, the best Narrative can be given to this Act is, to set things in their True Light before this Honourable House, with relation to the Circumstances of this Nation as at present, and as it hath been this Century of years by past, ever since the Union of the two Crowns under one Monarch.

If we Consider, My Lord, our present Circumstances, we are a divided People amongst our selves, divided and separated in our Interests and Circumstances from all

Europe

Europe besides; We have no Treaties, no Alliances with any of the States or Potentates of *Europe*; Yea, we have little or no Trade, Commerce or Correspondence abroad, our Military Corps serve abroad without Post, Name or Cartel, and are rather like to the *Israelites* service in *Egypt*, than that of a free Independent Nation assisting their Neighbours: But above all, My Lord, we are under that singular Speciality, that we know not who shall Reign over us, neither have we any particular Law pointing out, or directing us what to do when that melancholly day comes, that we shall be so miserable as to lose the best of Queens, yea the best of Sovereigns.

These, My Lord, are our present Circumstances, and I am sure they are so unfavourable, provoking and melancholly, that they deserve both the Time and Thought of this Honourable House, to find out an adequate Remedy for them, especially when we are encouraged to it by her Majesties Gracious Letter to this Parliament, empowering us to make, alter, or amend what Laws may tend to the Benefit of the Nation.

Let us then go on, My Lord, with that unanimity becomes us, in the Treating of so weighty an Affair: This is the concern of a Nation, and a Nation that hath been under a sensible Decay and Consumption for this hundred years by past, and is now become so very weak and debilitated, that it hath scarce Strength to endure a Cure.

If we do but consider the Ruins of our Royal Burrows, we may see what a vast decay we have suffered in Trade, in a Century which may justly be called the Century of Trade, or the Trading Age; if we will but consult the Histories of *Europe*, and of our own, we will find the Share and Figure we bore in the Affairs of *Europe*, with respect, and in proportion to other Potentates and States the preceding Century, vastly fallen in this: What a Figure makes *Sweden*, *Denmark*, *Switzerland*, *Portugal*, and *Tuscany* in the World now, with whom we were more than equal formerly; But above all, the States of *Holland* have improved that day to the best Advantage, and to their own Grandure, Power and Glory.

It is true, My Lord, if we consider *England* and *Spain*, that although they have made the greatest Advances in Trade and Plantations, and have had Kingdoms and Provinces both in *Europe* and *America* made subject to their respective Monarchs, yet their Power for all these Advantages seems to be lessened from what it was formerly, when *Spain* grasped at the Fifth Monarchy, and *England* at the Conquest of *France*; and to speak truth, I can see no reason why it should be so, considering that Money is the natural product of the Dominions of the one, and that the Riches of the other by Trade, are so greatly increased, save that neither of them have encouraged their fellow Subjects, with these necessary Immunities and Privileges as the wise *Romans* used to do, but on the contrary they have made their Yoke so uneasie that it hath pleased God to single out these two Nations from the bulk of *Europe* from making any Advances in Power proportionable to what they have done in Trade; And My Lord, I must say, this appears to be the Finger of God, that they may see their sins in their Punishment.

From what I have said, My Lord, it is evident that this Nation is labouring under some fundamental Error, with relation to its Constitution ever since the Union of the



Two Crowns, which our Predecessors were not aware of at first, and their Successors have never been able to rectify since, because our *more prudent* Neighbours and *now Subjects* have always made it their Business to run cross to us in that point, this is demonstrable from our own History and Acts of Parliament, from which I shall speak succinctly and distinctly as I can, shew the several Opportunities our Predecessors had to rectify their Constitution, as also the ways and means our *wise and prudent* Neighbours took to prevent it.

The prudent foresight of *Henry the 7th*, the restless endeavours of *Henry the 8th*, and *Edward the 6th*, to bring *Scotland* under the same Monarch with *England*, had the desired and long looked for Effect till the Death of *Queen Elizabeth*.

It is a matter of Admiration, that during the 40 years Reign of that Illustrious Queen, or Predecessors, so far as I can learn, had never so much as under their Consideration, how necessary it was to have their Constitution rectified, in case of our Monarchs Residence in *England*: Sure they had dear bought Experience of her of Government, and of her undue Intermeddling in the Affairs of *Scotland*, and that by supporting sometimes one Party, sometimes another, as she found it necessary; and which was most unaccountable of all, by her allowing her own nearest kinswoman *Queen Mary*, the Mother of our King, and then apparent Heir to both kingdoms, to be Arraigned, Condemned and Executed as a Subject of *England*; I am apt to think our Predecessors have been much in the like with the *Israelites* standing in the Wilderness, who, tho they suffered much, their Hearts were still kept up with the Expectations of Possessing a Land flowing with Milk and Honey the last: They thought to have been sharers with their King in the Government of *England*, but they counted before their Host; whatever may be in this, My Lord, I plain reason of this Neglect of our Predecessors came from the Divisions among themselves, which was industriously fomented amongst them, by the *English* Agents at that time; It was that which lost us that golden Opportunity, I pray God, it do so now.

Upon *K. James's* Accession to the Throne of *England*, our Predecessors though they were numerous, and did possess many considerable Offices at Court, yet they had overseen their Interest of the Nation, by not making such Conditions of Government, and Rectifications of their Constitution, as might have preserved the Sovereignty and Independency of their Nation, they found that the Power and Riches of *England* far exceeded that of *Scotland*, that their King's Residence in *England*, would draw there a constant concourse of their Nobility, and consequently the *Scots* Money must be expended there; thus like *Scots* Men wise behind hand, They endeavoured to retrieve it the best way they could, and to engage King to allow them Liberty to take the Rectification of their Constitution, in their present Circumstances, under Consideration; but our prudent Neighbours were so far as to foresee the Consequences of it, which they were resolved to obviate, therefore they perswaded the King to propose an Union of the Two Kingdoms, accordingly a Parliament was held at *Perth* in the 4th Year of God, and that the Design did not appear more solemn and real, it is called for that very end, for we find in our

Acts

Acts of Parliament, that there was nothing else done in that Parliament; they were also allowed to name their own Commissioners, that the least shadow of Jealousie might be removed: The Narrative of the Act empowering the Commissioners to Treat about the Union of the Two Kingdoms, makes clear the Design our Predecessors had of reserving the Sovereignty and Independency of their Nation, which they saw was in great Danger by the Absence of their King; For it says (*The King vouchsafes to assure them of his sincere Disposition and clear meaning, no way to the said Union to prejudice or hurt the Fundamental Laws, ancient Priviledges, Offices, and Liberties of the Kingdom, which if innovate could no more be a free Monarchy*) what the Consequence of this Union was, is well known, it was only an Amusement, and ended in an unconsiderable Tariff of Trade betwixt the Two Nations, and small as it was, it was thought too considerable for us to have, and therefore the English Parliament refused it.

The next Method our prudent fellow Subjects take, to influence our Government, so, as we might not be able for the future to rectify our Constitution, was to extend the Prerogative, they Judged well enough, that if our King have a large Prerogative, that his residing among them would make them Masters of that, therefore Parliament is called in the 6th year of God, and the very first Act is anent the Kings Royal Prerogative. The Narrative, which is the *Ratio Legis*, runs thus, (*That for our King is now King of the Renowned Kingdom of England, France and Ireland, which very far surpasseth the Wealth, Power and Force of the Dominions of His Primo-Genitors Kings of Scotland, for Discharge whereof, GOD hath endued His Majesty with sua maiestatis extraordinar Graces and maist Rair and Excellent Virtues, and that GOD having manifested expressed his Heavenly Will to be, that His Majesties Imperial Power, which GOD hath graciously enlarged, shall not be deminished, but rather Reverenced and Augmented; Therefore His Sovereign Authority, Princely Power, Royal Prerogative and Priviledge of His Crown, is largely extended over all Estates, &c.*) All I shall Observe from this, My Lord, is, That we may clearly see from whence this came, when at the same time there was no such extending of Prerogative with relation to England.

The second Act of the same Parliament is for restoring the Estate of Bishops, and the reason of that Law is, because (*They are sua far necessar Fundaments and Pillars maintaining the Authority of Princes, &c.*) Therefore, &c.

Before I proceed further, My Lord, I shall once for all Observe, That an Union of the Prerogative and State of Bishops, are the three Handles which our Prudent and Potent Neighbours have made use of, for these Hundred years bypast, to draw them the sole power of Influencing the Government of our Nation, and of preventing of the Rectification of its Constitution from time to time, and so I go on.

In the 7th, 9th and 12th years of God, we had Parliaments, which were employed in advancing the Episcopal Government, as appears by the Acts thereof in favour of Deans and Chapters, Teinds and other Ecclesiastical Benefices.

But in the Year 17th, My Lord, our good old King must be perswaded to make us a visit, and hold a Parliament himself, where the *Conge Delire* was Established, they were afraid that the Scots Bishops might in time come to kick against them.

and smell their design; therefore the King must have a finger in that pye too. But the main Design of that Journey, was to prepare the Members of the General Assembly to a more close Union with the English in their Religious Worship; and this was done so effectually, that in the 28th Year of God, the five Articles commonly called, *The five Articles of Perth*, past in a General Assembly kept there, though without great Struggle; and this was ratified afterwards in the Parliament 21st, which was the last of King James's Parliaments.

My Lord, King James dyes in the 25th Year of God. His Son King Charles the 1st no sooner ascends the Throne, but he is applyed to Arch-Bishop Laud, who tells him, That the endeavouring to bring Scotland into an Uniformity with England in their method of Religious Worship, is not to be done by the slow tedious way of Parliaments, that he must take larger Steps, His Prerogative being much greater than any of his Predecessors, and especially in Church Affairs. Therefore he may send them down a Liturgy, he may order their Habits, and that it was very fit, to lay upon a Political as well as a Religious Consideration, to teach the rude Scots to serve God in a more decent and splendid manner. This, My Lord, was too easily condescended to by that Religious Prince, a Liturgy is made and sent down, with other Religious Habits: What the Consequences were, is too well known to be repeated, only with all difference to that learned Prelate the Adviser: It is evident he was alle bad a Counsellor to the Father, as Father Peters prov'd afterwards to the Son.

Now, My Lord, to the Year 1641. which affords us an excellent opportunity for rectifying of our Constitution, and it appears by the Acts of that time, that our Predecessors were then falling to it in good Earnest: They had had so Recent an Instance of their being Invaded by Force, when other means failed. But they mistook their measures, for if they had at that time roundly and soundly Rectified their Constitution, and gone into the Assistance of their lawful King, they did to that of the English Parliament, we might at this time been reaping the Benefit of it more ways than one, for in common Reason it is no policy to aggrandize a Nation, that is by far our our Superiour, and who have always shewn an Inclination, both by writing and otherways to grasp at our Sovereignty. But we acted most foolishly, yet our prudent and potent Neighbours knew very well how to play their Game; and seeing at that time, that they could not bring us up to their Religious Worship; no matter what it be, providing they have an Influence in our Affairs. They'll complement us, and they will follow our manner of Worship, and lest we should doubt the sincerity of their Intentions by so sudden Change, They, good people, will give us a most Solemn League and Covenant for our furdre Security: Thus we were catched.

My Lord, The next period is that, of the 30th Year of God, when we called me the Righteous Heir King Charles the 2d; at that time also, we lost an excellent opportunity to rectifie our Constitution; Then our prudent Adversaries (for at that time we were in War with them) set all their Engines at work, to break us along our selves, and so to hinder us to Unite amongst our selves and with our young

young King, upon a solid Foundation; And tho they were laughing at the Solemn League and Covenant, and calling it an old Almanack, yet at the very same time they were telling us, That we had no Security from our young King, unless he and all about him took the National Covenant: This they knew would divide us effectually. And it is really very strange to consider how easily our Predecessors were deluded, and thereby lost that opportunity, where they might have done so great Things for their King, Country and Religion, as it was then Established; and which in all probability would not have missed of a favourable Event, if we had not fit in our own Light.

What was the Consequence of all this, my Lord? This our neglect makes our Enemies Successful, our Endeavours for our young King prove unsuccessful, and we in a manner totally Subjected to them, both in our Civil and Religious concerns, and continued so till the 60th Year of God.

In the 60th Year of God, King *Charles* is Restored, and our old prudent Neighbours saw the Scene was changed, yet they were very unwilling to let go their hold of Sovereignty over us; They were willing to keep what *Vitis & Modis* they had got, Therefore they advised our gracious King to continue us in the same condition we were then in: That is to say, as a Province depending upon *England*. The unreasonable-ness of this Proposal, my Lord, may show how much people are blinded with their own Interest, That we who had been the first who saw our Errors, who protested against the Kings Tryal, Sentence and Execution, who had raised an Army for his Liberation when Prisoner in the Isle of *Wight*, who had Recall'd and Crown'd his Son, who had Invaded *England* under his Conduct for Restoring him to his Fathers Kingdoms, and for doing whereof, we had brought upon us and our Nation, all the Calamities of War, Bondage and Servitude, Forts and Castles built to keep us in Subjection, and a standing Army of Ten thousand Men kept a foot upon us; a number sufficient to have kept in subjection the whole Island. I say, my Lord, That after all this, to think that any person should have dared to make such a Proposition to a King who knew the truth of this so well, seems to me, to have been the height of Impudence, to say no worse. And yet, My Lord, This was done; I have very good Vouchers for it, and General *Monk* was the principal Counsellor thereof, tho by our Counsel and Assistance he was enabled to accomplish that glorious design for his Majesties Restauration.

But blessed be God, the proposal was both abhorred and rejected by our gracious King: And then being thus disappointed, they fall to their old Trade again, Bishops must be Restored, the Prerogative must be Extended, and we must not want the Amusement of an Union: But above all, and before all, the grievous Acts of the 41. must be Rescinded, and that with a Stigma, as may be seen by the Narrative of the Act Rescissory: The truth is, they were too opposite to their designs to be continued.

My Lord, I must observe, That from the 60 to the 89, there was nothing saving the Jus Divinum of Kings, Non-Resistance and Passive Obedience preached up by the Clergy of both Kingdoms, I conceive that the memory of the late Troubles might afford some Occasions for this Doctrine, but when people go once off the solid Foundation and Fundamental Constitution of

of a limited Monarchy, be it upon never so good Grounds, the Consequences generally prove fatal, even to the Monarch himself, in whose favours such things are pretended, and sometimes entirely designed.

It fell out so during this Period of time, our Preachers strained their Eloquence to persuade the people to that which is so far contrair to Humane Reason, that it cannot be so much as the subject Matter of Faith, viz. That Kings come down from Heaven, as the Image of Diana came down to the Temple of Ephesus: It's true Interest, and particular Veins may make people appear to relish and believe such a Doctrine, as it did Demetrius and his Silver-smiths: This I must say, my Lord, is the worst Service can be done Princes. Experience shows, that people generally deceive their Deceivers as to that point, and the Monarch must suffer for all at long run, for when these Preachers and People came to be touched themselves, then nothing but Religion and all is in danger, and therefore in the Year 89, the then Prince of Orange is invited over by our Neighbours Non-Resisters, he comes and that seasonably too, and gives a great and glorious Deliverance, and thereupon is declared King of England, France and Ireland, and proclaimed accordingly.

My Lord, at that time our wise Neighbours forgot not us, they did not indeed well know what we might do, they knew then we had a new Opportunity to rectifie our Constitution, and the conditions of Government, they knew we had reason for it, and were afraid of it. Therefore they came again to their old shift, nothing is so necessary as an Union, which is now necessary, and they will not stand upon terms with us, but that being a Work of time, it is as necessary, that the Noblemen and Gentlemen at that time present at London, should go down and settle their Affairs upon that same bottom with theirs, lest King James come to Ireland, from thence over upon them, and much to this purpose; what do we do, My Lord, We follow the Bait, we are so fond of our Deliverer, and forward to imitate our Neighbours, we lost in a great part the Benefit of the Deliverance. King James is forfeited because of his following evil Counsellors, and yet after their Way, these evil Counsellors must not only be served, but employed.

It is true by their Example we make a Claim of Right, but we forget the most necessary parts, and remember not that we and they are not under different Circumstances, we without King residing among us, they having both their own and our King in the midst of them: My Lord, we lose that excellent Opportunity, I say we our selves, not our Predecessors, we are living Witnesses of our own Mismanagement.

Well, what followed, we write to our New Sovereign that the Union might go on, and we get a Nomination of Commissioners accordingly, but the Fish was caught, no more need of a Net. I confess some years after, Presbytry was restored, but all of us know, that if Episcopal people had been as ready to swear to King William, as now they are to Queen Anne, the Opposition had been much greater than it was.

During the first years of K. William's Reign, I cannot say but we were less under Influence than formerly, yet we wanted not Strangers meddling in our Affairs, but it was rather a national than National Influence, being acted by a person altogether ignorant of the State of the Nation, save what he had from some of our selves, who were so mean as to bow to that Image; I must confess we began to flourish a little in these days, and finding that we had more money than formerly, had hopes to promote a Trade like our Neighbour Nation, but never had we an Act of Parliament for our Encouragement, but then our prudent Neigh-
bours

bours fall upon us with a Witness, and that above-board too, the two Houses of Parliament acted and addressed again us, their Residents abroad gave in Memorials against us, and we be represented in America as Pirates and Free-booters, and our gracious Sovereign cry Peccavi for his favours towards us; This, my Lord, is well known, and I having the Honour fully to discourse on this Subject in this same place, I shall say no more but King William dies.

Our most gracious Queen Anne succeeds conform to our Claim of Right, who I hope do right to this her ancient Kingdom; what follows? she is proclaimed Queen of England, Scotland, France and Ireland, whereby they prevent the forward Zeal of our Privy Counsellors then accidentally at London, as they prevented that of the Scots Parliament; more? an Union is wrung up again, by which it is evident, that they have some new sign upon us, which I hope we shall be so wise to prevent by our Unanimity in this Session of Parliament, to rectify what is amiss, and divert the fatal Consequences that may follow thereon.

Thus, my Lord, I think I have given this honourable House a short and true Account of our own Histories and Acts of Parliament of the several Opportunities we have lost, which was in our power to have rectified our Constitution to this very day, which naturally brings to the subject Matter of this Act, For the Security of the Kingdom, &c.

My Lord, as we go thorow the Paragraphs of this Act, I shall speak my mind freely to particular Clauses thereof, all that I shall say further at present is; That we have before our Eyes our Predecessors faults, our most Gracious Queen bath before her Eyes the Infirmitie of her Royal Primo-Genitors, she knows these people to be no good Subjects, who pretend to establish a separate Interest betwixt Her and Her people, she knows that she is Queen over two distinct Independant Kingdoms, who have distinct Laws, distinct Interests and Constitutions. And we know, that we are perfectly happy under her Majesties auspicious Government; We secure from all the open Assaults and secret Designs of our Adversaries, during her Reign want nothing to make our Happiness compleat, save her Royal Residence among us, which no reason to expect: What shall we then do? In the midst of our Prosperity let us consider how soon our Joy may be turned to Tears; how soon the dismal account may come, that we have lost our Guardian, the preserver of our Laws and Liberties.

My Lord, I think the thoughts of this should make a deep Impression upon us, and make us take time by the forehead. All things seem to concur in favours of our design. We have a new Parliament, a new Off-spring of many Noble and hopeful young Peers and other Members of this new Parliament, who love both their Queen and Country, and will venture their lives for Her Service, we have begun a new Century since our Union with England, and who know whence a Blessing may come; What shall we then do? Even lay aside all Divisions, all Animosities and Resentments, whether upon Civil or Ecclesiastick Accounts, and let us joyn together true Scots men, with our Royal Queen in passing this excellent Law, in such an ample manner as may Re unite us together for ever, and rectify our Constitution so, as none shall afterwards be able to prevail against us in the manner they have done formerly.

I am so much convinced of the necessity of doing this now, and not to delay it to another day. My Lord, that I may truly say, if in this our day, we do not consider the things that are so much to the happiness of this our Nation and Posterity, I am afraid such an other day may be hid from our Eyes; Let us then up and be doing, since we have a Queen who will wish from us nothing that is for our Advantage.

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